IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

W.P. No. 1032 of 2001 (S/B)
Old No. 931 of 1997

State of U.P. & others …….. Petitioners

Versus

Sri Dhyan Singh & another …….. Respondents

Learned Chief Standing Counsel for the State.

Hon. P.C. Verma, A.C.J.
Hon. M.M. Ghildiyal, J.

This writ petition is filed by the petitioners challenging the order dated 08.05.1997 passed on the interim prayer by the learned State Public Service Tribunal in Claim petition No. 47 of 1997 contained in Annexure 1 to the writ petition.

A perusal of the order dated 08.05.1997 passed by the Public Service Tribunal shows that by the impugned order, the Public Service Tribunal has stayed the operation of the order dated 11.12.1996, contained in Annexure 2 to the claim petition, so far as it related to the petitioner namely Dhyan Singh till the disposal of the claim petition.

The order is totally interlocutory in nature as it was till the disposal of the claim petition. It is settled law that a writ petition against the interim order is not maintainable as it is only till the final adjudication.

Therefore, we find no merit in the writ petition and the writ petition is dismissed accordingly. No order as to costs.

(M.M. Ghildiyal, J.) **(P.C. Verma, A.C.J.)**

Dt. 13.04.2004
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